

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2003-830

December 29, 2003

CENTRAL MAINE POWER COMPANY
Request for Approval of a Special Rate
Contract Amendment with International
Paper (Androscoggin Mill)

ORDER APPROVING
CONTRACT

WELCH, Chairman; DIAMOND and REISHUS, Commissioners

SUMMARY OF DECISION

By this Order, the Commission approves Central Maine Power Company's (CMP's) proposed First Amendment to its customer service agreement (CSA) with International Paper (Androscoggin Mill).

DISCUSSION AND DECISION

On November 18, 2003, CMP filed with this Commission a proposed First Amendment to its CSA with International Paper (Androscoggin Mill). This amendment does not comply with all conditions of Attachment 6 of the ARP 2000.¹ Pursuant to Attachment 6, contracts with terms no more than one year beyond the term of the ARP; that are not anti-competitive or unduly discriminatory; that provide annual, usage-sensitive revenues in excess of annual, usage-sensitive marginal costs; and that provide total revenues in excess of the Company's total marginal cost floors plus an adder over the term of the contract, go into effect automatically 30 days after they are filed. The revenues from this contract amendment, however, while greater than the marginal cost floors, are not greater than the marginal cost floors plus an adder. Therefore, in order to become effective, this amendment to the CSA requires Commission review and approval.

We have reviewed the contract amendment and find that the revenue loss (relative to retail rates) associated with this amendment is not large enough to present significant risk to CMP's other customers. Therefore, we will allow the CSA to go into effect.

¹ ARP 2000 was approved by Commission Order Approving Stipulation dated November 16, 2000 in Docket No. 99-666.

Accordingly, we

O R D E R

That the First Amendment to its Customer Service Agreement with International Paper (Androscoggin Mill) filed by Central Maine Power Company on November 18, 2003, is hereby approved and may become effective as of December 17, 2003, as requested by CMP.

Dated at Augusta, Maine, this 29th day of December, 2003.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch

Diamond
Reishus

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.